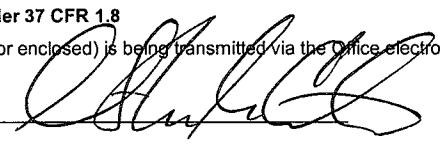


Docket No.: M1103.70273US00
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael A. Tavis
Serial No.: 10/032,709
Confirmation No.: 5403
Filed: October 24, 2001
For: METHOD AND APPARATUS FOR MANAGING SOFTWARE
COMPONENT DOWNLOADS AND UPDATES
Examiner: Bilgrami, Asghaar H.
Art Unit: 2443

| | |
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| Certificate of Electronic Filing Under 37 CFR 1.8 | |
| I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4). | |
| Dated: <u>9/18/09</u> | Signature:  |

RESPONSE TO NOTIFICATION OF NON-COMPLAINT APPEAL BRIEF

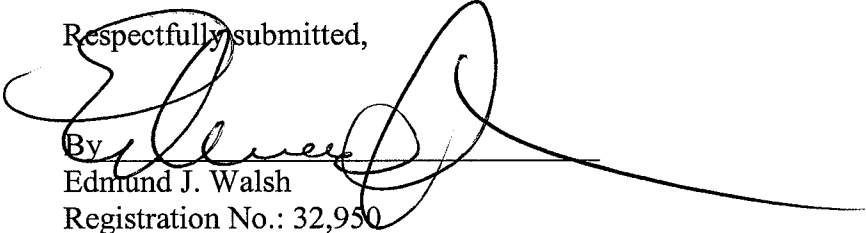
Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Non-Compliant Appeal Brief mailed August 19, 2009, Applicants herewith submit a revised Section VI, Grounds Of Rejection To Be Reviewed On Appeal. As requested in the Notice of Non-Compliant Appeal Brief, this section lists the same rejections as those set forth in the examiner's final office action.

Dated: Sept 18, 2009

Respectfully submitted,

By 
Edmund J. Walsh
Registration No.: 32,950
WOLF, GREENFIELD & SACKS, P.C.
Federal Reserve Plaza
600 Atlantic Avenue
Boston, Massachusetts 02210-2206

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

A. *Whether claims 1-20 and 41 are properly rejected under 35 U.S.C. §103(a) based on Donohue et al. (U.S. 6199,204) and Parthesarathy et al. (U.S. 6,353,926).*

In the Arguments section, this Grounds of Rejection is covered in the following sub-parts:

- Whether independent claim 1 is properly rejected under 35 U.S.C. §103(a) based on Donohue et al. (U.S. 6199,204) and Parthesarathy et al. (U.S. 6,353,926).
- Whether claims 2, which depends from claim 1, is properly rejected under 35 U.S.C. §103(a) based on Donohue et al. (U.S. 6199,204) and Parthesarathy et al. (U.S. 6,353,926).
- Whether claim 8, which depends from claim 2, is properly rejected under 35 U.S.C. §103(a) based on Donohue et al. (U.S. 6199,204) and Parthesarathy et al. (U.S. 6,353,926).
- Whether claim 9, which depends from claim 1, is properly rejected under 35 U.S.C. §103(a) based on Donohue et al. (U.S. 6199,204) and Parthesarathy et al. (U.S. 6,353,926).
- Whether independent claim 11 is properly rejected under 35 U.S.C. §103(a) based on Donohue et al. (U.S. 6199,204) and Parthesarathy et al. (U.S. 6,353,926).
- Whether claim 12, which depends from claim 11, is properly rejected under 35 U.S.C. §103(a) based on Donohue et al. (U.S. 6199,204) and Parthesarathy et al. (U.S. 6,353,926).

B. Whether claims 21-30 & 32-41 are properly rejected under 35 U.S.C. §103(a) based on Varma et al. (U.S. 6,334,141) and Carley et al. (U.S. 6,701,345).

In the Arguments section, this Grounds of Rejection is covered in the following sub-parts:

- Whether independent claim 21 is properly rejected under 35 U.S.C. §103(a) based on Varma et al. (U.S. 6,334,141) and Carley et al. (U.S. 6,701,345).
- Whether independent claim 32 is properly rejected under 35 U.S.C. §103(a) based on Varma et al. (U.S. 6,334,141) and Carley et al. (U.S. 6,701,345).

Arguments for reversal for each of the above identified grounds for review are presented separately below. Separate arguments are not provided for dependent claims 3 through 7 and 10, which stand or fall with claim 1. Separate arguments are not provided for dependent claims 13 through 20, which stand or fall with claim 11. Separate arguments are not provided for dependent claims 22 through 30, which stand or fall with claim 21. Separate arguments are not provided for dependent claims 33 through 41, which stand or fall with claim 32.